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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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ANTONELLI, TERRY, STOUT & KRAUS, LLP
1300 NORTH SEVENTEENTH STREET
SUITE 1800
ARLINGTON, VA 22209-3873

EXAMINER

BLANCO, JAVIER G

ART UNIT PAPER NUMBER

3738

DATE MAILED: 11/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

DETAILED ACTION

Election/Restrictions

1. This application contains claims directed to the following patentably distinct species,
from each of the four groups of species, of the claimed invention:

Prosthetic Foot

Species A: Figure 3

Species B: Figure 25

Species C: Figures 28-32

Species D: Figure 33

Species E: Figures 34-36

Species F: Figures 41, 42

Species G: Figures 43-45

Species H: Figures 46, 47

Species I: Figures 48-51

Species J: Figures 52-54

Calf Shank

Species A: Figure 15

Species B: Figure 16

Species C: Figure 17

Species D: Figure 18

Species E: Figure 19

Species F: Figure 20

Art Unit: 3738

Species G: Figure 21

Species H: Figure 22

Species I: Figure 27

Foot Keel

Species A: Figures 3-5

Species B: Figures 6, 7

Species C: Figures 9, 10

Species D: Figures 11, 12

Species E: Figure 13

Species F: Figure 14

Species G: Figures 37, 38

Species H: Figures 39, 40

Coupling Element

Species A: Figure 23

Species B: Figure 26

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species, from each of the four groups of species, for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Javier G. Blanco whose telephone number is 571-272-4747. The examiner can normally be reached on M-F (7:30 a.m.-4:00 p.m.), first Friday of the bi-week off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Corrine McDermott can be reached on (571) 272-4754. The fax phone numbers for the organization where this application or proceeding is assigned is 703-872-9306 for regular communications and After Final communications. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0858.

JGB



October 31, 2005



David H. Willse
Primary Examiner